



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

MICHIGAN BOARD OF MEDICINE JULY 19, 2023 MEETING

UNAPPROVED MINUTES

In accordance with the Open Meetings Act, 1976 PA 267, the Michigan Board of Medicine met on July 19, 2023, at 611 West Ottawa Street, Upper-Level Conference Room 3, Lansing, Michigan 48933.

CALL TO ORDER

Holly Gilmer, MD, Vice Chairperson, Acting Chairperson, called the meeting to order at 10:23 a.m.

ROLL CALL

Members Present: Holly Gilmer, MD, Vice Chairperson, Acting Chairperson
Marissa Baty, PA-C
Mustafa Mark Hamed, MD, MBA, MPH
Cassandra Jones-McBryde, Public Member
Michael Lewis, MD
Ali Moiin, MD
Surya Nalamati, MD
Cara Poland, MD
Angela Trepanier, MS, CGC
Donald Tynes, MD (arrived 10:57 a.m.)
Kathy VanderLaan, Public Member
Nancy Wayne, PhD, Public Member
Dondre Young, Public Member

Members Absent: Michael Chafy, MD
Elizabeth Gates, Public Member
Bryan Little, MD
Mary Stearns, Public Member

Staff Present: Laury Brown, Senior Analyst, Compliance Section
Michael Draminski, Manager, Compliance Section
Weston MacIntosh, JD, Departmental Specialist,
Boards and Committees Section
Michele Wagner-Gutkowski, JD, Assistant Attorney General
Stephanie Wysack, Board Support Technician,
Boards and Committees Section

APPROVAL OF AGENDA

MOTION by Lewis, seconded by Moiin, to approve the Amended #2 Agenda, with the removal of item 6.

A voice vote followed.

MOTION PREVAILED

APPROVAL OF MINUTES

MOTION by Lewis, seconded by Hamed, to approve the May 3, 2023, meeting minutes, as written.

A voice vote followed.

MOTION PREVAILED

Resolution Presentation

Gilmer presented a Resolution to Venkat Rao, MD, honoring the time he served on the Michigan Board of Medicine.

REGULATORY CONSIDERATIONS

Petition for Reinstatement

Sam-Hussein Hassan Awada, MD

MOTION by Wayne, seconded by Lewis, to discuss.

A voice vote followed.

MOTION PREVAILED

Discussion was held.

MOTION by Poland, seconded by VanderLaan, to deny the Petition for Reinstatement.

A roll call vote was held: Yeas: Hamed, Jones-McBryde, Nalamati, Poland, Trepanier,
VanderLaan, Wayne, Young, Gilmer
Nays: None
Abstain: Baty, Lewis, Moin

MOTION PREVAILED

OLD BUSINESS

USMLE Variance Request

Shadi Fakhouri (Tabled May 3, 2023)

MOTION by Poland, seconded by Moin, to untable the matter from May 3, 2023.

A voice vote followed.

MOTION PREVAILED

MOTION by Wayne, seconded by Lewis, to discuss.

A voice vote followed.

MOTION PREVAILED

Discussion was held.

MOTION by Nalamati, seconded by Moin, to approve the USMLE Variance Request.

A roll call vote was held: Yeas: Hamed, Jones-McBryde, Lewis, Moin, Nalamati, Poland,
Trepanier, VanderLaan, Wayne, Young, Gilmer
Nays: None
Abstain: Baty

MOTION PREVAILED

NEW BUSINESS

USMLE Variance Requests

Vishwaratn Asthana

MOTION by Moin, seconded by Lewis, to grant the USMLE Variance Request.

A roll call vote was held: Yeas: Baty, Hamed, Jones-McBryde, Lewis, Moiin, Nalamati, Poland, Trepanier, Tynes, VanderLaan, Wayne, Young, Gilmer

Nays: None

MOTION PREVAILED

Shivashankar Damodaran

MOTION by Nalamati, seconded by Tynes, to grant the USMLE Variance Request.

A roll call vote was held: Yeas: Baty, Hamed, Jones-McBryde, Lewis, Moiin, Nalamati, Poland, Trepanier, Tynes, VanderLaan, Wayne, Young, Gilmer

Nays: None

MOTION PREVAILED

Alaa Awad El-Karim

MOTION by Tynes, seconded by Nalamati, to grant the USMLE Variance Request.

A roll call vote was held: Yeas: Baty, Hamed, Jones-McBryde, Lewis, Moiin, Nalamati, Poland, Trepanier, Tynes, VanderLaan, Wayne, Young, Gilmer

Nays: None

MOTION PREVAILED

Hamsa Gabbara

MOTION by Wayne, seconded by Tynes, to grant the USMLE Variance Request.

A roll call vote was held: Yeas: Baty, Hamed, Jones-McBryde, Lewis, Moiin, Nalamati, Poland, Trepanier, Tynes, VanderLaan, Wayne, Young, Gilmer

Nays: None

MOTION PREVAILED

Rachel Genova

MOTION by VanderLaan, seconded by Tynes, to grant the USMLE Variance Request.

Discussion was held.

A roll call vote was held: Yeas: Baty, Hamed, Jones-McBryde, Lewis, Moiin, Nalamati, Poland, Trepanier, Tynes, VanderLaan, Wayne, Young, Gilmer
Nays: None

MOTION PREVAILED

Matthew Iyer

MOTION by Tynes, seconded by Wayne, to grant the USMLE Variance Request.

A roll call vote was held: Yeas: Baty, Hamed, Jones-McBryde, Lewis, Moiin, Nalamati, Poland, Trepanier, Tynes, VanderLaan, Wayne, Young, Gilmer
Nays: None

MOTION PREVAILED

Raman Kutty

MOTION by Nalamati, seconded by Trepanier, to grant the USMLE Variance Request.

A roll call vote was held: Yeas: Baty, Hamed, Jones-McBryde, Lewis, Moiin, Nalamati, Poland, Trepanier, VanderLaan, Wayne, Young, Gilmer
Nays: None

MOTION PREVAILED

Marzena Luszczy-Klejno

MOTION by VanderLaan, seconded by Tynes, to grant the USMLE Variance Request.

A roll call vote was held: Yeas: Baty, Hamed, Jones-McBryde, Lewis, Moiin, Nalamati, Poland, Trepanier, Tynes, VanderLaan, Wayne, Young, Gilmer
Nays: None

MOTION PREVAILED

Continuing Education Waiver Request

John Rudzinski

MOTION by Wayne, seconded by Young, to discuss.

A voice vote followed.

MOTION PREVAILED

Discussion was held.

MOTION by Nalamati, seconded by Lewis, to approve the Continuing Education Waiver Request.

Discussion was held.

A roll call vote was held: Yeas: Baty, Hamed, Jones-McBryde, Lewis, Moiin, Nalamati,
Poland, Trepanier, Tynes, VanderLaan, Wayne, Young,
Gilmer
Nays: None

MOTION PREVAILED

Elections

MacIntosh ran the election for chairperson.

MOTION by Tynes, seconded by Lewis, to elect Gilmer as the chairperson.

A roll call vote was held: Yeas: Baty, Hamed, Jones-McBryde, Lewis, Moiin, Nalamati,
Poland, Trepanier, Tynes, VanderLaan, Wayne, Young,
Gilmer
Nays: None

MOTION PREVAILED

Gilmer ran the election for vice chairperson. She provided an overview of the duties of the vice chairperson.

MOTION by Tynes, seconded by Baty, to elect Tynes as the vice chairperson.

MOTION by Lewis, seconded by Nalamati, to elect Hamed as the vice Chairperson.

A roll call vote was held:

Hamed:	Hamed, Lewis, Nalamati, Trepanier, VanderLaan
Tynes:	Baty, Jones-McBryde, Moiin, Tynes, Wayne, Young, Gilmer
Abstain:	Poland

Hamed withdrew his name from consideration during roll call.

MOTION PREVAILED for Tynes

Committee Assignments

Gilmer made the following committee assignments:

Disciplinary Subcommittee

Young – Public Chair
Jones-McBryde – Public
Hamed – Professional
Nalamati – Professional
Trepanier – Professional
Stearns – Public Alternate
Chafty – Professional Alternate

Rules

Poland – Chair
Moiin
Trepanier
Tynes

Board Review Panel

Gilmer
Panel 1 – Lewis, Tynes
Panel 2 – Chafty, Moiin
Alternate - Little

Rules Discussion

Genetic Counseling – General Rules

MacIntosh stated that the Rules Committee met recently. He provided an overview of the substantive changes made to the proposed draft rules (Attachment #1).

MOTION by Tynes, seconded by Moiin, to approve the draft rules as presented.

A roll call vote was held: Yeas: Baty, Hamed, Jones-McBryde, Lewis, Moiin, Nalamati, Poland, Trepanier, Tynes, VanderLaan, Wayne, Young, Gilmer
Nays: None

MOTION PREVAILED

Medicine – General Rules

MacIntosh stated that the Rules Committee met recently. He provided an overview of the substantive changes made to the proposed draft rules (Attachment #2).

MOTION by Tynes, seconded by Moiin, to approve the draft rules as presented.

A roll call vote was held: Yeas: Baty, Hamed, Jones-McBryde, Lewis, Moiin, Nalamati, Poland, Trepanier, Tynes, VanderLaan, Wayne, Young, Gilmer
Nays: None

MOTION PREVAILED

Chair Report

Gilmer thanked the board for electing her as chairperson and thanked them for all their help during the transition. She thanked the DSC for their thoughtful discussion in considering matters and the Rules Committee for their thoughtful work in updating the rules.

Gilmer reminded board members to check their state emails on a regular basis.

Department Update

MacIntosh stated that the next New Board Member training would be held on August 21, 2023, beginning at 1:00 p.m., via Zoom. All members are welcome to attend.

MacIntosh reminded board members to check their state email as it is the form of communication used with the department.

MacIntosh reminded board members that meetings are now recorded and that board members should be mindful of microphones and remember to speak clearly.

MacIntosh stated that Bryan Modelski had been named Deputy Director for the Bureau of Professional Licensing.

Wysack reminded board members that they should apply for reappointment now, if they are interested, as their terms come up on December 31, 2023.

PUBLIC COMMENT

Draminski introduced himself to the board and provided an overview of what is handled through the Compliance Section. He thanked the board for their commitment to all that is required of a board member.

ANNOUNCEMENTS

The next regularly scheduled meeting is September 20, 2023, at 10:00 a.m. at 611 West Ottawa Street, Upper-Level Conference Center Room 3, Lansing, Michigan 48933.

ADJOURNMENT

MOTION by Lewis, seconded by Moiin, to adjourn the meeting at 11:59 a.m.

A voice vote followed.

MOTION PREVAILED

Minutes approved by the Board on: September 20, 2023.

Prepared by:
Stephanie Wysack, Board Support Technician
Bureau of Professional Licensing

July 20, 2023

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

GENETIC COUNSELING – GENERAL RULES

Filed with the secretary of state on

These rules become effective immediately after filing with the secretary of state unless adopted under section 33, 44, or 45a(9) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the secretary of state.

(By authority conferred on the director of the department of licensing and regulatory affairs by sections 16145, 16148, 16174, 16201, 16204, 16287, 17091, 17092, and 17096 of the public health code, 1978 PA 368, MCL 333.16145, 333.16148, 333.16174, 333.16201, 333.16204, 333.16287, 333.17091, 333.17092, and 333.17096, and Executive Reorganization Order Nos. 1991-9, 1996-2, 2003-1, and 2011-4, MCL 338.3501, 445.2001, 445.2011, and 445.2030)

R 338.2455, R 338.2461, R 338.2462, R 338.2463, R 338.2465, R 338.2471, and R 338.2473 of the Michigan Administrative Code are amended, as follows:

PART 1. GENERAL PROVISIONS

R 338.2451 Definitions.

Rule 151. (1) As used in these rules:

- (a) "ABGC" means the American Board of Genetic Counseling, Inc., or its successor.
 - (b) "ABMGG" means the American Board of Medical Genetics and Genomics or its successor.
 - (c) "Board" means the Michigan board of medicine created under section 17021 of the code, MCL 333.17021.
 - (d) "Code" means the public health code, 1978 PA 368, MCL 333.1101 to 333.25211.
 - (e) "Department" means the department of licensing and regulatory affairs.
- (2) A term defined in the code has the same meaning when used in these rules.

R 338.2455 Telehealth.

Rule 155. (1) A licensee shall obtain consent for treatment before providing a telehealth service under section 16284 of the code, MCL 333.16284.

(2) A licensee shall maintain proof of consent **for telehealth treatment** in the patient's up-to-date medical record and satisfy section 16213 of the code, MCL 333.16213.

(3) A licensee providing a telehealth service may prescribe a drug if the licensee is a prescriber acting within the scope of the licensee's practice and in compliance with

section 16285 of the code, MCL 333.16285, and if the licensee does both of the following:

- (a) Refers the patient to a provider that is geographically accessible to the patient, if medically necessary.
- (b) Makes ~~himself or herself~~ **the licensee** available to provide follow-up care services to the patient, or to refer the patient to another provider, for follow-up care.
- (4) A licensee providing any telehealth service shall do both of the following:
 - (a) Act within the scope of ~~his or her~~ **the licensee's** practice.
 - (b) Exercise the same standard of care applicable to a traditional, in-person health care service.

R 338.2457 Training standards for identifying victims of human trafficking; requirements.

Rule 157. (1) Under section 16148 of the code, MCL 333.16148, an individual seeking licensure or that is licensed shall ~~complete~~ **have completed** training in identifying victims of human trafficking that satisfies all the following standards:

- (a) Training content must cover all the following:
 - (i) Understanding the types and venues of human trafficking in the United States.
 - (ii) Identifying victims of human trafficking in health care settings.
 - (iii) Identifying the warning signs of human trafficking in health care settings for adults and minors.
 - (iv) Providing resources for reporting the suspected victims of human trafficking.
- (b) Acceptable providers or methods of training include any of the following:
 - (i) Training offered by a nationally recognized or state-recognized health-related organization.
 - (ii) Training offered by, or in conjunction with, a state or federal agency.
 - (iii) Training obtained in an educational program that has been approved under these rules for initial licensure or registration, or by a college or university.
 - (iv) Reading an article related to the identification of victims of human trafficking that satisfies the requirements of subdivision (a) of this subrule and is published in a peer-reviewed journal, health care journal, or professional or scientific journal.
- (c) Acceptable modalities of training include any of the following:
 - (i) Teleconference or webinar.
 - (ii) Online presentation.
 - (iii) Live presentation.
 - (iv) Printed or electronic media.
- (2) The department may select and audit a sample of individuals and request documentation of proof of completion of training. If audited by the department, an individual shall provide an acceptable proof of completion of training, including either of the following:
 - (a) Proof of completion certificate issued by the training provider that includes the date, provider name, name of training, and individual's name.
 - (b) A self-certification statement by the individual. The certification statement must include the individual's name and either of the following:
 - (i) For training completed under subrule (1)(b)(i) to (iii) of this rule, the date, training provider name, and name of training.

(ii) For training completed under subrule (1)(b)(iv) of this rule, the title of the article, author, publication name of the peer-review journal, health care journal, or professional or scientific journal, and the date, volume, and issue of publication, as applicable.

(3) Under section 16148 of the code, MCL 333.16148, the requirements specified in subrule (1) of this rule apply for license renewals beginning with the 2025 renewal cycle and for initial licenses beginning April 15, 2026.

PART 2. LICENSURE

R 338.2461 Application for license; qualifications.

Rule 161. (1) An applicant for a genetic counselor license shall satisfy the requirements of the code and the rules promulgated under the code, as well as both of the following requirements:

(a) Provide the required fee and a completed application on a form provided by the department.

(b) Provide proof, **as directed by the department**, verifying current certification in good standing from the ABGC or the ABMGG.

(2) An applicant for a temporary-licensed genetic counselor license shall satisfy the requirements of the code and the rules promulgated under the code, as well as all the following requirements:

(a) Provide the required fee and a completed application on a form provided by the department.

(b) Provide proof, **as directed by the department**, verifying active candidate status from the ABGC or the ABMGG.

(c) Provide proof, **as directed by the department**, verifying that the applicant will be supervised by a qualified supervisor in this state.

R 338.2462 Application for license by endorsement; qualifications.

Rule 162. (1) An applicant for a genetic counselor license by endorsement shall satisfy the requirements of the code and the rules promulgated under the code, as well as all the following requirements:

(a) Provide the required fee and a completed application on a form provided by the department.

(b) Provide proof, **as directed by the department**, verifying the holding of a current and full genetic counselor license in another state or in a province of Canada.

(c) Provide proof, **as directed by the department**, verifying current certification in good standing from the ABGC or the ABMGG.

(2) An applicant that is or has been licensed, registered, or certified in a health profession or specialty by another state, the United States military, the federal government, or another country shall disclose that fact on the application form. The applicant shall satisfy the requirements of section 16174(2) of the code, MCL 333.16174, including verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force when applying. If licensure is granted and it is determined that sanctions have been imposed, the

disciplinary subcommittee may impose appropriate sanctions under section 16174(5) of the code, MCL 333.16174.

R 338.2463 Application for relicensure; qualifications.

Rule 163. (1) An applicant may be relicensed within 3 years after the expiration date of the license under section 16201(3) of the code, MCL 333.16201, if the applicant satisfies the requirements of the code and the rules promulgated under the code, as well as all the following requirements:

(a) Provides the required fee and a completed application on a form provided by the department.

(b) Provides proof, **as directed by the department**, verifying 1 of the following, as applicable:

(i) If applying for relicensure as a genetic counselor, current certification in good standing from the ABGC or the ABMGG.

(ii) If applying for relicensure as a temporary-licensed genetic counselor, active candidate status from the ABGC or the ABMGG.

(c) Establishes good moral character as that term is defined in, and determined under, 1974 PA 381, MCL 338.41 to 338.47.

(d) If applying for relicensure as a temporary-licensed genetic counselor, provides proof, **as directed by the department**, verifying that the applicant will be supervised by a qualified supervisor in this state.

(2) An applicant may be relicensed more than 3 years after the expiration date of the license under section 16201(4) of the code, MCL 333.16201, if the applicant satisfies the requirements of the code and the rules promulgated under the code, as well as all the following requirements:

(a) Provides the required fee and a completed application on a form provided by the department.

(b) Provides proof, **as directed by the department**, verifying 1 of the following, as applicable:

(i) If applying for relicensure as a genetic counselor, current certification in good standing from the ABGC or the ABMGG.

(ii) If applying for relicensure as a temporary-licensed genetic counselor, active candidate status from the ABGC or the ABMGG.

(c) Establishes good moral character as that term is defined in, and determined under, 1974 PA 381, MCL 338.41 to 338.47.

(d) Provides fingerprints as required under section 16174(3) of the code, MCL 333.16174.

(e) If applying for relicensure as a temporary-licensed genetic counselor, provides proof, **as directed by the department**, verifying that the applicant will be supervised by a qualified supervisor in this state.

(3) An applicant that is or has been licensed, registered, or certified in a health profession or specialty by another state, the United States military, the federal government, or another country shall disclose that fact on the application form. The applicant shall satisfy the requirements of section 16174(2) of the code, MCL 333.16174, including verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force when applying. If

licensure is granted and it is determined that sanctions have been imposed, the disciplinary subcommittee may impose appropriate sanctions under section 16174(5) of the code, MCL 333.16174.

R 338.2465 Application for renewal of license; qualifications.

Rule 165. (1) An applicant for renewal of a genetic counselor license shall satisfy the requirements of the code and the rules promulgated under the code, as well as all the following requirements:

(a) Provide the required fee and a completed application on a form provided by the department.

(b) Provide proof, **as directed by the department**, verifying current certification in good standing from the ABGC or the ABMGG.

(c) Satisfy the requirements under R 338.2471, as applicable.

(2) An applicant for renewal of a temporary-licensed genetic counselor license shall satisfy the requirements of the code and the rules promulgated under the code, as well as all the following requirements:

(a) Provide the required fee and a completed application on a form provided by the department.

(b) Provide proof, **as directed by the department**, verifying active candidate status from the ABGC or the ABMGG.

(c) Provide proof, **as directed by the department**, verifying that the licensee will be supervised by a qualified supervisor in this state.

(3) A temporary-licensed genetic counselor license may be renewed 4 times.

PART 3. CONTINUING EDUCATION

R 338.2471 License renewals.

Rule 171. (1) This part applies to an application for renewal of a genetic counselor license under R 338.2465 and sections 16201 and 17091 of the code, MCL 333.16201 and 333.17091.

(2) An applicant for license renewal that has been licensed in the 3-year period immediately preceding the application for renewal shall accumulate a minimum of 75 contact hours of continuing education in activities approved under R 338.2473 during the 3 years immediately preceding the application for renewal.

(3) Submission of an application for renewal constitutes the applicant's certification of compliance with the requirements of this rule. The licensee shall retain documentation of satisfying the requirements of this rule for 4 years after the date of applying for license renewal. Failure to satisfy this rule is a violation of section 16221(h) of the code, MCL 333.16221.

(4) The department may select and audit a sample of licensees that have renewed their license and request proof of compliance with subrule (2) of this rule. If audited, a licensee shall provide documentation as specified in R 338.2473.

(5) An applicant must submit a request for a waiver of continuing education requirements to the department for the board's consideration not less than 30 days

before the last regularly scheduled board meeting before the expiration date of the license.

R 338.2473 Acceptable continuing education; requirements; limitations.

Rule 173. (1) The 75 contact hours of continuing education required under R 338.2471 must satisfy the following requirements, as applicable:

(a) Credit for a continuing education program or activity that is identical or substantially equivalent to a program or activity for which the licensee has already earned credit during the renewal period cannot be granted.

(b) A minimum of 1 contact hour of continuing education must be earned in medical ethics.

(c) A minimum of 1 contact hour of continuing education must be earned in pain and symptom management under section 16204 of the code, MCL 333.16204. Continuing education contact hours in pain and symptom management may include, but are not limited to, any of the following areas:

(i) Public health burden of pain.

(ii) Ethics and health policy related to pain.

(iii) Michigan pain and controlled substance laws.

(iv) Pain definitions.

(v) Basic sciences related to pain including pharmacology.

(vi) Clinical sciences related to pain.

(vii) Specific pain conditions.

(viii) Clinical physician communication related to pain.

(ix) Management of pain, including evaluation and treatment and non-pharmacological and pharmacological management.

(x) Ensuring quality pain care.

(xi) Michigan programs and resources relevant to pain.

(d) Completion of implicit bias training under R 338.7004 during the 3 years immediately preceding the application for renewal may be used toward satisfaction of the requirements of R 338.2471(2) and subrule (1) of this rule.

(2) The following activities are acceptable continuing education:

	Activity and Proof of Completion	Number of Continuing Education Contact Hours Granted/Allowed for the Activity
(a)	Attendance at or participation in a continuing education program or activity related to the practice of genetic counseling that includes, but is not limited to, live in-person programs, interactive or monitored teleconference, audio-conference, or web-based programs, online programs, and journal articles with a self-study component or other self-study programs approved or offered by any of the following organizations: - Accreditation Council for Continuing Medical Education. Education (ACCME) including non-	The number of continuing education contact hours credit for a specific program or activity is the number of contact hours approved by the sponsor or the approving organization for the specific program. A minimum of 45 hours of continuing education credit

	<p>ACCME accredited providers engaging in joint providership with ACCME accredited providers.</p> <ul style="list-style-type: none"> - American College of Medical Genetics and Genomics. - American College of Obstetricians and Gynecologists. - American Medical Association. - American Nurses Credentialing Center's Commission on Accreditation. - American Osteopathic Association. - American Society for Reproductive Medicine. - Michigan Association of Genetic Counselors. - Michigan Osteopathic Association. - Michigan State Medical Society. - National Society of Genetic Counselors. - Society for Maternal Fetal Medicine. <p>If audited, the licensee shall provide a copy of the letter or certificate of completion showing the licensee's name, number of continuing education contact hours earned, sponsor name or the name of the organization that approved the program or activity for continuing education credit, and the date on which the program was held or the activity completed.</p>	<p>must be earned in this activity in each renewal period.</p> <p>A maximum of 75 contact hours of continuing education credit may be earned for this activity in each renewal period.</p>
(b)	<p>Serving as a clinical supervisor for a student at a site used by an Accreditation Council for Genetic Counseling (ACGC) accredited program.</p> <p>To receive credit, the clinical supervision must not be the licensee's primary employment function.</p> <p>If audited, the licensee shall provide the student's initials, training program, dates supervision began and ended, and number of supervision hours provided per week.</p>	<p>Five contact hours of continuing education credit is granted for a minimum of 25 hours of direct clinical supervision.</p> <p>A maximum of 30 contact hours of continuing education credit may be earned for this activity in each renewal period.</p>
(c)	<p>Publication of an article or chapter in a peer-reviewed journal or book related to practice-based competency.</p> <p>If audited, the licensee shall provide a copy of the publication that identifies the licensee as the author.</p>	<p>Ten contact hours of continuing education credit is granted for serving as the first, second, or senior author.</p> <p>Five contact hours of continuing education credit is granted for serving as any other author that is not</p>

		<p>first, second, or senior author.</p> <p>A maximum of 10 contact hours of continuing education credit may be earned per article or chapter.</p> <p>A maximum of 30 contact hours of continuing education credit may be earned for this activity in each renewal period.</p>
(d)	<p>Service in a leadership position role as a board member, chair, or leader of a genetics-related organization.</p> <p>If audited, the licensee shall provide the organization name, contact information, dates of service, dated agenda, and meeting minutes documenting not less than 25 hours of service.</p>	<p>Five contact hours of continuing education credit is granted for 25 hours of service for each organization.</p> <p>A maximum of 30 contact hours of continuing education credit may be earned for this activity in each renewal period.</p>
(e)	<p>Serving as an instructor for a graduate-level course in an area related to genetics competency.</p> <p>To receive credit, the instructorship must not be the licensee's primary employment function.</p> <p>If audited, the licensee shall provide document titles, course description, faculty list of each course, dates of all courses, scheduled instructional hours, and a letter from the program director verifying the licensee's role.</p>	<p>Five contact hours of continuing education credit is granted for a minimum of 5 hours of teaching.</p> <p>A maximum of 10 contact hours of continuing education credit may be earned for each course.</p> <p>A maximum of 30 contact hours of continuing education credit may be earned for this activity in each renewal period.</p>
(f)	<p>Serving as a peer-reviewer of a manuscript by invitation for a scientific journal.</p> <p>If audited, a licensee shall provide copies of documentation inviting the licensee to complete the review and thanking them for completing the review.</p>	<p>Two contact hours of continuing education credit is granted for each manuscript reviewed.</p>

		A maximum of 30 contact hours of continuing education credit may be earned for this activity in each renewal period.
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PART 4. STANDARDS OF PRACTICE

R 338.2481 Certification; active candidate status; requirement.

Rule 171. (1) A genetic counselor licensee shall maintain certification with the ABGC or the ABMGG.

(2) ~~A temporary-licensed genetic counselor license automatically expires upon issuance of a genetic counselor license or upon loss of active candidate status with the ABGC or the ABMGG. A licensee shall report to the department a change in active candidate status not later than 30 days after the change occurs.~~ **A temporary-licensed genetic counselor shall report to the department a change in qualified supervisor not later than 30 days after the change occurs.**

(3) **A temporary-licensed genetic counselor license automatically expires upon issuance of a genetic counselor license or upon loss of active candidate status with the ABGC or the ABMGG. A temporary-licensed genetic counselor shall report to the department a change in active candidate status not later than 30 days after the change occurs.**

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

MEDICINE - GENERAL RULES

Filed with the secretary of state on

These rules become effective immediately after filing with the secretary of state unless adopted under section 33, 44, or 45a(9) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the secretary of state.

(By authority conferred on the director of the department of licensing and regulatory affairs by sections 16145, 16148, 16174, 16204, 16215, 16287, 17031, 17033, 17048, and 17076 of the public health code, 1978 PA 368, MCL 333.16145, 333.16148, 333.16174, 333.16204, 333.16215, 333.16287, 333.17031, 333.17033, 333.17048, and 333.17076, and Executive Reorganization Order Nos. 1991-9, 1996-2, 2003-1, and 2011-4, MCL 338.3501, 445.2001, 445.2011, and 445.2030)

R 338.2407, R 338.2411, R 338.2413, R 338.2421, R 338.2423, R 338.2425, R 338.2427, R 338.2429, R 338.2431, R 338.2435, R 338.2437, R 338.2441, and R 338.2443 of the Michigan Administrative Code are amended, as follows:

PART 1. GENERAL PROVISIONS

R 338.2401 Definitions.

Rule 101. (1) As used in these rules:

(a) "Board" means the Michigan board of medicine created under section 17021 of the code, MCL 333.17021.

(b) "CK" means clinical knowledge.

(c) "Code" means the public health code, 1978 PA 368, MCL 333.1101 to 333.25211.

(d) "Department" means the department of licensing and regulatory affairs.

(e) "ECFMG" means the Educational Commission for Foreign Medical Graduates.

(f) "FSMB" means the Federation of State Medical Boards.

(g) "USMLE" means the United States Medical Licensing Examination.

(2) A term defined in the code has the same meaning when used in these rules.

R 338.2407 Telehealth.

Rule 107. (1) A licensee shall obtain consent for treatment before providing a telehealth service under section 16284 of the code, MCL 333.16284.

(2) A licensee shall ~~keep~~ **maintain** proof of consent for telehealth treatment in the patient's up-to-date medical record and satisfy section 16213 of the code, MCL 333.16213.

(3) A licensee providing a telehealth service may prescribe a drug if the licensee is a prescriber acting within the scope of the licensee's practice and in compliance with section 16285 of the code, MCL 333.16285, and if the licensee does both of the following:

(a) ~~If medically necessary, refers~~ **Refers** the patient to a provider who is geographically accessible to the ~~patient~~. **patient, if medically necessary.**

(b) Makes the licensee available to provide follow-up care services to the patient, or to refer the patient to another provider, for follow-up care.

(4) A licensee providing **a any** telehealth service shall do both of the following:

(a) Act within the scope of the licensee's practice.

(b) Exercise the same standard of care applicable to a traditional, in-person health care service.

R 338.2409 Prescribing of drugs by physician's assistants; procedures and protocols.

Rule 109. (1) Under sections 17048(2) and 17076(2) of the code, MCL 333.17048 and 333.17076, and under the terms of a practice agreement, a physician's assistant may prescribe a drug, including a controlled substance that is included in schedules 2 to 5 of part 72 of the code, MCL 333.7201 to 333.7231, subject to both of the following requirements:

(a) If a physician's assistant prescribes a drug, the physician's assistant's name must be used, recorded, or otherwise indicated in connection with that prescription.

(b) If a physician's assistant prescribes a drug that is included in schedules 2 to 5, the physician's assistant's Drug Enforcement Agency (DEA) registration number must be used, recorded, or otherwise indicated in connection with that prescription.

(2) Under sections 17048(2) and 17076(3) of the code, MCL 333.17048 and 333.17076, and under the terms of a practice agreement, a physician's assistant may order, receive, and dispense complimentary starter dose drugs, including controlled substances that are included in schedules 2 to 5 of part 72 of the code, MCL 333.7201 to 333.7231, subject to both of the following requirements:

(a) If a physician's assistant orders, receives, or dispenses a complimentary starter dose drug, the physician's assistant's name must be used, recorded, or otherwise indicated in connection with that order, receipt, or dispensing.

(b) If a physician's assistant orders, receives, or dispenses a complimentary starter dose drug that is included in schedules 2 to 5, the physician's assistant's DEA registration number must be used, recorded, or otherwise indicated in connection with that order, receipt, or dispensing.

R 338.2411 Delegation of prescribing controlled substances to an advanced practice registered nurse; limitation.

Rule 111. (1) A physician may delegate the prescription of controlled substances listed in schedules 2 to 5 **of part 72 of the code, MCL 333.7201 to MCL 333.7231**, to a registered nurse who holds a specialty certification under section 17210 of the code, MCL 333.17210, except for a nurse anesthetist, if the delegating physician establishes a written authorization that has all the following information:

(a) The name, license number, and signature of the delegating physician.

(b) The name, license number, and signature of the nurse practitioner, nurse midwife, or clinical nurse specialist.

(c) The limitations or exceptions to the delegation.

(d) The effective date of the delegation.

(2) The delegating physician shall review and update a written authorization on an annual basis ~~from~~ **after** the original date or the date of amendment, if amended. The delegating physician shall note the review date on the written authorization.

(3) The delegating physician shall ~~keep~~ **maintain** a written authorization at the delegating physician's primary place of practice.

(4) The delegating physician shall provide a copy of the signed, written authorization to the nurse practitioner, nurse midwife, or clinical nurse specialist.

(5) The delegating physician shall ensure that an amendment to the written authorization satisfies subrules ~~(1), (2), (3), and (4)~~ **(1) to (4)** of this rule.

(6) A delegating physician may authorize a nurse practitioner, a nurse midwife, or a clinical nurse specialist to issue multiple prescriptions allowing the patient to receive a total of up to a 90-day supply of a schedule 2 controlled substance.

(7) A delegating physician shall not delegate the prescription of a drug or device individually, in combination, or in succession for a woman known to be pregnant with the intention of causing either a miscarriage or fetal death.

R 338.2413 Training standards for identifying victims of human trafficking; requirements.

Rule 113. (1) Under section 16148 of the code, MCL 333.16148, an individual seeking licensure or who is licensed shall ~~complete~~ **have completed** training in identifying victims of human trafficking that satisfies the following standards:

(a) Training content must cover all the following:

(i) Understanding the types and venues of human trafficking in this state or the United States.

(ii) Identifying victims of human trafficking in health care settings.

(iii) Identifying the warning signs of human trafficking in health care settings for adults and minors.

(iv) Identifying resources for reporting the suspected victims of human trafficking.

(b) Acceptable providers or methods of training include any of the following:

(i) Training offered by a nationally recognized or state-recognized, health-related organization.

(ii) Training offered by, or in conjunction with, a state or federal agency.

(iii) Training obtained in an educational program that has been approved for initial licensure, or by a college or university.

(iv) Reading an article related to the identification of victims of human trafficking that satisfies the requirements of subdivision (a) of this subrule and is published in a peer review journal, health care journal, or professional or scientific journal.

(c) Acceptable modalities of training include any of the following:

(i) Teleconference or webinar.

(ii) Online presentation.

(iii) Live presentation.

(iv) Printed or electronic media.

(2) The department may select and audit a sample of individuals and request documentation of proof of completion of training. If audited by the department, an individual shall provide an acceptable proof of completion of training, including either of the following:

(a) Proof of completion certificate issued by the training provider that includes the date, provider name, name of training, and individual's name.

(b) A self-certification statement by an individual. The certification statement must include the individual's name and either of the following:

(i) For training completed under subrule (1)(b)(i) to (iii) of this rule, the date, training provider name, and name of training.

(ii) For training completed under subrule (1)(b)(iv) of this rule, the title of article, author, publication name of peer review journal, health care journal, or professional or scientific journal, and date, volume, and issue of publication, as applicable.

~~(3) Under section 16148 of the code, MCL 333.16148, the requirements specified in subrule (1) of this rule apply for license renewals beginning with the 2017 renewal cycle and for initial licensure beginning December 6, 2021.~~

PART 2. LICENSES

R 338.2421 Accreditation standards for approval of medical schools and medical residency programs.

Rule 121. (1) The standards for accrediting medical schools developed and adopted by the Liaison Committee on Medical Education, 655 K Street NW, Suite 100, Washington, District of Columbia 20001-2399, set forth in the publication ~~entitled~~ **titled** "Functions and Structure of a Medical School," March ~~2021~~ **2023** edition, which are available at no cost on the committee's website at <https://lcme.org> are approved and adopted by reference. A medical school accredited by the Liaison Committee on Medical Education is approved.

(2) The standards for approval of a postgraduate training program developed and adopted by the Accreditation Council for Graduate Medical Education, 401 N. Michigan Avenue, Suite 2000, Chicago, Illinois 60611, set forth in the publication ~~entitled~~ **titled** "ACGME Common Program Requirements," effective July 1, ~~2021~~, **2023**, which are available at no cost on the council's website at <https://www.acgme.org> are approved and adopted by reference. A medical postgraduate training program accredited by the Accreditation Council for Graduate Medical Education is approved.

(3) The standards for approval of a resident training program by the College of Family Physicians of Canada, 2630 Skymark Avenue, Mississauga, Ontario, Canada L4W 5A4, set forth in the publication ~~entitled~~ **titled** "Standards of Accreditation for Residency Programs in Family Medicine," July 2020 version, which are available at no cost on the college's website at <https://www.cfpc.ca/en/home> are approved and adopted by reference. A residency program accredited by the College of Family Physicians of Canada is approved.

(4) The standards for approval of a resident training program by the Royal College of Physicians and Surgeons of Canada, 774 Echo Drive, Ottawa, Ontario, Canada K1S 5N8,

set forth in the publication ~~entitled~~ **titled** “General Standards of Accreditation for Residency Programs,” July 2020 edition, which are available at no cost on the college’s website at <https://www.royalcollege.ca/rcsite/home-e> are approved and adopted by reference. A residency program accredited by the Royal College of Physicians and Surgeons is approved.

(5) Copies of the standards adopted by reference in subrules ~~(1), (2), (3), and (4)~~ **(1) to (4)** of this rule are available for inspection and distribution at a cost of 10 cents per page from the Board of Medicine, Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, 611 W. Ottawa, P.O. Box 30670, Lansing, Michigan 48909.

R 338.2423 Doctor of medicine; license requirements; United States and Canadian graduates.

Rule 123. An applicant for a doctor of medicine license who graduated from a medical school inside the United States or Canada shall satisfy the requirements of the code and the administrative rules promulgated under the code, as well as all the following requirements:

(a) Provide the required fee and a completed application on a form provided by the department.

(b) Provide proof, **as directed by the department**, verifying completion of a degree from a medical school that satisfies the standards under R 338.2421(1).

(c) Provide proof, **as directed by the department**, verifying passing scores on all steps of the USMLE adopted under R 338.2431 and proof, **as directed by the department**, verifying satisfaction of all the requirements under R 338.2431.

(d) Provide proof, **as directed by the department**, verifying completion of a minimum of 1 year of postgraduate clinical training in a program that satisfies the requirements under R 338.2421(2), (3), or (4).

(e) Provide a certificate of completion of the postgraduate training required under subdivision (d) of this rule to the department no more than 15 days before the scheduled date of completion.

R 338.2425 Doctor of medicine; license requirements; foreign graduates.

Rule 125. An applicant for a doctor of medicine license who graduated from a medical school outside the United States or Canada shall satisfy the requirements of the code and the administrative rules promulgated under the code, as well as all the following requirements:

(a) Provide the required fee and a completed application on a form provided by the department.

(b) Provide proof, **as directed by the department**, verifying certification from the ECFMG that the applicant has graduated from a medical school listed in the World Directory of Medical Schools.

(c) Provide proof, **as directed by the department**, verifying passing scores on all steps of the USMLE adopted under R 338.2431 and proof, **as directed by the department**, verifying satisfaction of all the requirements under R 338.2431.

(d) Provide proof, **as directed by the department**, verifying completion of a minimum of 1 year of postgraduate clinical training in a program that satisfies the requirements under R 338.2421(2), (3), or (4).

(e) Provide a certificate of completion of the postgraduate training required under subdivision (d) of this rule to the department no more than 15 days before the scheduled date of completion.

R 338.2427 Licensure by endorsement.

Rule 127. (1) An applicant for a doctor of medicine license by endorsement shall satisfy the requirements of the code and the administrative rules promulgated under the code, as well as all the following requirements:

(a) Provide the required fee and a completed application on a form provided by the department.

(b) Provide proof, **as directed by the department**, verifying a current and full doctor of medicine license in another state or in a province of Canada.

(c) If the applicant is licensed as a doctor of medicine in a province in Canada, provide proof, **as directed by the department**, verifying that the applicant completed the educational requirements in Canada or in the United States for licensure as a doctor of medicine in Canada or in the United States.

(d) Provide proof, **as directed by the department**, verifying passing scores on either of the following examinations for a doctor of medicine license in another state or in a province of Canada to obtain licensure as a doctor of medicine in another state or in a province of Canada:

(i) All steps of the USMLE adopted under R 338.2431 and provide proof verifying satisfaction of all the requirements under R 338.2431.

(ii) Part I of the Medical Council of Canada Qualifying Examination (MCCQE).

(e) Provide proof, **as directed by the department**, verifying completion of a minimum of 1 year of postgraduate clinical training in a program that satisfies the requirements under R 338.2421(2), (3), or (4).

(2) An applicant who provides proof, **as directed by the department**, verifying a current and full license in good standing as a doctor of medicine in another state or in a province of Canada for not less than 10 years before the date of filing the application for a doctor of medicine license by endorsement is presumed to satisfy the requirements of subrule (1)(c), (d), and (e) of this rule.

(3) An applicant who is or has been licensed, registered, or certified in a health profession or specialty by another state, the United States military, the federal government, or another country shall disclose that fact on the application form. The applicant shall satisfy the requirements of section 16174(2) of the code, MCL 333.16174, including verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and, except as otherwise provided under section 17011(4) of the code, MCL 333.17011, sanctions are not in force when the application is submitted. If licensure is granted and it is determined that sanctions have been imposed, the disciplinary subcommittee may impose appropriate sanctions under section 16174(5) of the code, MCL 333.16174.

R 338.2429 Educational limited license.

Rule 129. (1) An individual not eligible for a doctor of medicine license shall obtain an educational limited license before engaging in postgraduate training.

(2) An applicant for an educational limited license who is from a medical school inside the United States or Canada shall satisfy the requirements of the code and the administrative rules promulgated under the code, as well as all the following requirements:

(a) Provide the required fee and a completed application on a form provided by the department.

(b) Provide proof, **as directed by the department**, verifying that the applicant has graduated or is expected to graduate within 3 months of the date of the application from a medical school that satisfies the requirements under R 338.2421(1).

(c) Provide proof, **as directed by the department**, verifying that the applicant has been accepted into a postgraduate training program that satisfies the requirements under R 338.2421(2).

(3) An applicant for an educational limited license who is from a medical school outside the United States or Canada shall satisfy the requirements of the code and the administrative rules promulgated under the code, as well as all the following requirements:

(a) Provide the required fee and a completed application on a form provided by the department.

(b) Provide proof, **as directed by the department**, verifying certification from the ECFMG and that the applicant has satisfied both of the following requirements:

(i) Graduated from a medical school listed in the World Directory of Medical Schools.

(ii) Received passing scores on step 1 and step 2 CK of the USMLE adopted under R 338.2431.

(c) Provide proof, **as directed by the department**, verifying that the applicant has been accepted into a postgraduate training program that satisfies the requirements under R 338.2421(2).

(4) Under section 17012(2) of the code, MCL 333.17012, an educational limited license is not renewable for more than 5 years.

R 338.2431 Examination; adoption; passing scores; limitation on attempts; ~~time limitations~~.

Rule 131. (1) The USMLE, developed and administered by the FSMB, is approved and adopted, which consists of the following steps:

(a) USMLE Step 1.

(b) USMLE Step 2 CK.

(c) USMLE Step 3.

(2) The passing score for each step of the USMLE accepted for licensure is the passing score established by the FSMB.

(3) An applicant shall not make more than 4 attempts to pass any step of the USMLE.

~~(4) An applicant shall successfully pass all steps of the USMLE within 7 years after the date that the applicant first passed a step of the USMLE. An applicant may request consideration of a variance of the 7-year requirement by providing, at a minimum, proof verifying both of the following requirements to the board:~~

~~(a) That the applicant has already passed all steps of the USMLE, but that the time taken to pass all steps is more than 7 years.~~

~~(b) That the applicant has completed either of the following activities:~~

~~(i) Graduation from an accredited graduate degree program in addition to medical school.~~

~~(ii) Completion of a residency or fellowship program with demonstrated consistent participation in the program.~~

R 338.2435 Clinical academic limited license.

Rule 135. An applicant for a clinical academic limited license shall satisfy the requirements of the code and the administrative rules promulgated under the code, as well as all the following requirements:

(a) Provide the required fee and a completed application on a form provided by the department.

(b) Provide proof, **as directed by the department**, verifying that the applicant has been appointed to a position in an academic institution, as that term is defined in section 17001 of the code, MCL 333.17001.

(c) Provide proof, **as directed by the department**, verifying 1 of the following:

(i) The applicant has graduated from a medical school that satisfies the requirements under R 338.2421(1).

(ii) Certification from the ECFMG that the applicant has satisfied both of the following requirements:

(A) Graduated from a medical school listed in the World Directory of Medical Schools.

(B) Received passing scores on step 1 and step 2 CK of the USMLE adopted under R 338.2431.

R 338.2437 Relicensure.

Rule 137. (1) An applicant whose doctor of medicine license has lapsed for less than 3 years preceding the date of application for relicensure may be relicensed under section 16201(3) of the code, MCL 333.16201, if the applicant satisfies the requirements of the code and the administrative rules promulgated under the code, as well as all the following requirements:

(a) Provides the required fee and a completed application on a form provided by the department.

(b) Provides proof, **as directed by the department**, verifying the completion of not less than 150 hours of continuing education that satisfies the requirements of R 338.2443 during the 3 years immediately preceding the date of the application for relicensure.

(c) Establishes good moral character, as that term is defined and determined under 1974 PA 381, MCL 338.41 to 338.47.

(d) An applicant who holds or has ever held a license to practice medicine shall establish all the following requirements:

(i) Disciplinary proceedings are not pending against the applicant.

(ii) If sanctions have been imposed against the applicant, the sanctions are not in force when the application is submitted.

(iii) A previously held license was not surrendered or allowed to lapse to avoid discipline.

(2) An applicant whose doctor of medicine license has been lapsed for 3 years but less than 5 years may be relicensed under section 16201(4) of the code, MCL 333.16201, if

the applicant provides fingerprints as set forth in section 16174(3) of the code, MCL 333.16174, and satisfies the requirements of subrule (1) of this rule and either of the following requirements:

(a) Provides proof, **as directed by the department**, verifying that the applicant is currently licensed and in good standing as a doctor of medicine in another state or in a province of Canada.

(b) Provides proof, **as directed by the department**, verifying completion of 1 of the following during the 3 years immediately preceding the date of the application for relicensure:

(i) Successfully passed the Special Purpose Examination (SPEX) offered by the FSMB. The passing score is the passing score established by the FSMB.

(ii) Successfully completed a postgraduate training program that satisfies the requirements under R 338.2421(2), (3), or (4).

(iii) Successfully completed a physician re-entry program that is an organizational member of the Coalition for Physician Enhancement (CPE).

(iv) Successfully completed a physician re-entry program affiliated with a medical school that satisfies the requirements under R 338.2421(1).

(3) An applicant whose doctor of medicine license has been lapsed for 5 years or more may be relicensed under section 16201(4) of the code, MCL 333.16201, if the applicant provides fingerprints as set forth in section 16174(3) of the code, MCL 333.16174, and satisfies the requirements of subrule (1) of this rule and either of the following requirements:

(a) Provides proof, **as directed by the department**, verifying that the applicant is currently licensed and in good standing as a doctor of medicine in another state or in a province of Canada.

(b) Provides proof, **as directed by the department**, verifying completion of both of the following during the 3 years immediately preceding the date of the application for relicensure:

(i) Successfully passed the SPEX offered by the FSMB. The passing score is the passing score established by the FSMB.

(ii) Successfully completed 1 of the following training options:

(A) A postgraduate training program that satisfies the requirements under R 338.2421(2), (3), or (4).

(B) A physician re-entry program that is an organizational member of the CPE.

(C) A physician re-entry program affiliated with a medical school that satisfies the requirements under R 338.2421(1).

(4) If required to complete the requirements of subrule (2)(b) or (3)(b) of this rule, the applicant may obtain an educational limited license for the sole purpose of completing that training.

(5) An applicant with an educational limited license may be relicensed under section 16201(3) or (4) of the code, MCL 333.16201, if the applicant satisfies subrule (1) of this rule and R 338.2429.

(6) An applicant who is or has been licensed, registered, or certified in a health profession or specialty by another state, the United States military, the federal government, or another country shall disclose that fact on the application form. The applicant shall satisfy the requirements of section 16174(2) of the code, MCL 333.16174,

which includes verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force when the application is submitted. If licensure is granted and it is determined that sanctions have been imposed, the disciplinary subcommittee may impose appropriate sanctions under section 16174(5) of the code, MCL 333.16174.

PART 3. CONTINUING EDUCATION

R 338.2441 License renewals.

Rule 141. (1) An applicant for renewal shall satisfy the requirements of the code and the administrative rules promulgated under the code.

(2) An applicant for license renewal who has been licensed in the 3-year period immediately preceding the application for renewal shall accumulate a minimum of 150 hours of continuing education in activities approved under R 338.2443 during the 3 years immediately preceding the application for renewal.

(3) Submission of an application for renewal constitutes the applicant's certification of compliance with the requirements of this rule. The licensee shall ~~keep~~ **maintain** documentation of satisfying the requirements of this rule for 4 years after the date of applying for license renewal. Failure to satisfy this rule is a violation of section 16221(h) of the code, MCL 333.16221.

(4) The department may select and audit a sample of licensees who have renewed their license and request proof of compliance with subrule (2) of this rule. If audited, a licensee shall provide documentation as specified in R 338.2443.

(5) An applicant must submit a request for a waiver of continuing education requirements to the department for the board's consideration not less than 30 days before the last regularly scheduled board meeting before the expiration date of the license.

R 338.2443 Acceptable continuing education; requirements; limitations.

Rule 143. (1) The 150 hours of continuing education required under R 338.2441 must satisfy the following requirements, as applicable:

(a) Credit for a continuing education program or activity that is identical or substantially equivalent to a program or activity for which the licensee has already earned credit during the renewal period cannot be granted.

(b) A minimum of 1 hour of continuing education must be earned in medical ethics.

(c) ~~For license renewals filed on December 6, 2017, or later, a~~ A minimum of 3 hours of continuing education must be earned in pain and symptom management under section 17033(2) of the code, MCL 333.17033. At least 1 of the 3 hours must include controlled substances prescribing. Continuing education hours in pain and symptom management may include, but are not limited to, any of the following areas:

- (i) Public health burden of pain.
- (ii) Ethics and health policy related to pain.
- (iii) Michigan pain and controlled substance laws.
- (iv) Pain definitions.

- (v) Basic sciences related to pain including pharmacology.
- (vi) Clinical sciences related to pain.
- (vii) Specific pain conditions.
- (viii) Clinical physician communication related to pain.
- (ix) Management of pain, including evaluation and treatment and non-pharmacological and pharmacological management.
- (x) Ensuring quality pain care and controlled substances prescribing.
- (xi) Michigan programs and resources relevant to pain.
- (d) A minimum of 75 continuing education credits must be obtained through category 1 programs listed in subrule (2) of this rule.

(e) Completion of implicit bias training under R 338.7004 during the 3 years immediately preceding the application for renewal may be used toward satisfaction of the requirements of R 338.2441(2) and subrule (1) of this rule.

(2) The following activities are acceptable category 1 continuing education:

	Activity and Proof of Completion	Number of Continuing Education Hours granted/permitted for the activity
(a)	<p>Attendance at or participation in a continuing education program or activity related to the practice of medicine, which includes, but is not limited to, live, in-person programs, interactive or monitored teleconference, audio-conference, or web-based programs, online programs, and journal articles with a self-study component or other self-study programs approved or offered by any of the following organizations:</p> <ul style="list-style-type: none"> - American Medical Association. - Michigan State Medical Society. - Accreditation Council for Continuing Medical Education Education Education (ACCME) including non-ACCME accredited providers engaging in joint providership with ACCME accredited providers. - American Osteopathic Association. - Michigan Osteopathic Association. <p>If audited, the licensee must provide a copy of the letter or certificate of completion showing the licensee's name, number of continuing education hours earned, sponsor name or the name of the organization that</p>	<p>The number of continuing education hours for a specific program or activity is the number of hours approved by the sponsor or the approving organization for the specific program. A maximum of 150 hours of continuing education may be earned for this activity during the renewal period.</p>

	approved the program or activity for continuing education credit, and the date on which the program was held or the activity completed.	
(b)	<p>Taking and passing a specialty board certification or recertification examination for a specialty board recognized by the American Board of Medical Specialties, the American Board of Physician Specialties, or the National Board of Physicians and Surgeons.</p> <p>If audited, the licensee shall provide proof from the specialty board of the successful passing of the examination.</p>	A specialty board certification or recertification examination successfully passed during the renewal period is granted 50 hours of continuing education. A maximum of 50 hours of continuing education may be earned for this activity in each renewal period.
(c)	<p>Successfully completing an activity that is required for maintenance of a specialty certification for a board recognized by the American Board of Medical Specialties, the American Board of Physician Specialties, or the National Board of Physicians and Surgeons that does not satisfy the requirements of subrule 2(a) or 2(b) of this rule.</p> <p>If audited, the licensee shall provide proof from the specialty board that the activity was required for maintenance of certification, that the activity was successfully completed and the date of completion.</p>	One hour of continuing education is granted for every 60 minutes spent on the activity. A maximum of 30 hours may be earned for this activity in each renewal period.
(d)	Participation in a clinical training program that satisfies any of the requirements of R 338.2421(2), (3), or (4) or is accredited by a board recognized by the American Board of Medical Specialties, the American Board of Physician Specialties, or the National Board of Physicians and Surgeons. To receive credit, the licensee shall be enrolled for a minimum of 5 months in a 12-month period.	Fifty hours of continuing education per year may be granted for this activity. A maximum of 150 hours of continuing education may be earned per renewal period.

	If audited, the licensee shall provide a letter from the program director verifying the licensee took part in the program.	
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(3) The following activities are acceptable category 2 continuing education:

	Activity and Proof of Completion	Number of Continuing Education Hours granted/permitted for the activity
(a)	<p>Serving as a clinical instructor for medical students or residents engaged in a postgraduate training program that satisfies requirements of R 338.2421(2), (3), or (4).</p> <p>To receive credit, the clinical instructorship must not be the licensee's primary employment function.</p> <p>If audited, the licensee shall provide proof of scheduled instructional hours and a letter from the program director verifying the licensee's role.</p>	Two hours of continuing education is granted for each 50 to 60 minutes of scheduled instruction. Additional credit for preparation of a lecture cannot be granted. A maximum of 48 hours of continuing education may be earned for this activity in each renewal period.
(b)	<p>Initial presentation of a scientific exhibit, poster, or paper to a professional medical organization.</p> <p>If audited, the licensee shall provide a copy of the document presented with proof of presentation or a letter from the program sponsor verifying the date of the presentation.</p>	Two hours of continuing education is granted for each presentation. No additional credit is granted for preparation of the presentation. A maximum of 24 hours of continuing education may be earned in this activity in each renewal period. Under R 338.2443(1)(a), credit for a presentation is granted only once per renewal period.
(c)	<p>Publication of a scientific article relating to the practice of medicine in a peer-reviewed journal or periodical.</p> <p>If audited, the licensee shall provide a copy of the publication that identifies the licensee as the author or a publication acceptance letter and documentation of the peer-review process.</p>	Six hours of continuing education is granted for serving as the primary author. Three hours of continuing education is granted for serving as a secondary author. A maximum of 24 hours of continuing education may be earned for this activity in each renewal period. Under R 338.2443(1)(a), credit for an article is granted once per renewal period.
(d)	Initial publication of a chapter or a part of a chapter related to the practice of medicine in either of the following textbooks:	Five hours of continuing education is granted for serving as the primary author. Two hours of continuing education is granted for serving as a secondary author. A maximum of 24

	<ul style="list-style-type: none"> - A professional health care textbook. - A peer-reviewed textbook. <p>If audited, the licensee shall provide a copy of the publication that identifies the licensee as the author or a publication acceptance letter.</p>	<p>hours of continuing education may be earned for this activity in each renewal period. Under R 338.2443(1)(a), credit for publication is granted once per renewal period.</p>
(e)	<p>Participating on any of the following committees:</p> <ul style="list-style-type: none"> - A peer review committee dealing with quality of patient care as it relates to the practice of medicine. - A committee dealing with utilization review as it relates to the practice of medicine. - A health care organization committee dealing with patient care issues related to the practice of medicine. - A national or state committee, board, council, or association related to the practice of medicine. <p>Participation in a committee, board, council, or association is considered acceptable if it enhances the participant's knowledge and understanding of the field of medicine. If audited, the licensee shall provide a letter from an organization official verifying the licensee's participation in not less than 50% of the regularly scheduled meetings of the committee, board, council, or association.</p>	<p>Eighteen hours of continuing education is granted for taking part on a committee. A maximum of 18 hours of continuing education may be earned for this activity in each renewal period.</p>